

JC10 Rec'd PCT/PTO 14 JUL 2005

PTO-1390 (Rev. 02-2005)

Approved for use through 3/31/2007. OMB 0651-0021  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|--|--|---|
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>  |  | <b>ATTORNEY'S DOCKET NUMBER<br/>BARE 200001</b><br><b>10/542460</b><br><small>U.S. APPLICATION NO. (If known) See 37 CFR 1.5)</small> |
| INTERNATIONAL APPLICATION NO.<br>PCT/GB2004/000090   | INTERNATIONAL FILING DATE<br>15 January 2004 | PRIORITY DATE CLAIMED<br>15 January 2003  |
| TITLE OF INVENTION<br>HELMET MOUNTED ELECTROLUMINESCENT POSITION INDICATOR   |  |   |
| APPLICANT(S) FOR DO/EO/US<br>Paul David Sherring   |  |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |   |
| <p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> |  |   |
| Items 11 to 20 below concern document(s) or information included:  |  |   |
| <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>  |  |   |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

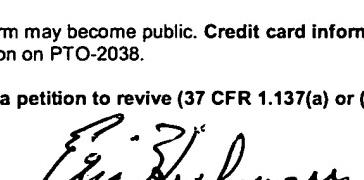
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PTO-139

PTO-1390 (Rev. 02-2005)

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Approved for use through 3/31/2007. GMB 0851-0821  
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|   |                     |   |             |                                  |            |                        |    |                       |    |
|---|---------------------|---|-------------|----------------------------------|------------|------------------------|----|-----------------------|----|
| U.S. APPLICATION NO. (if known; see 37 CFR 1.5)   |                     | INTERNATIONAL APPLICATION NO.   |             | ATTORNEY'S DOCKET NUMBER         |            |                        |    |                       |    |
| <b>10/542460</b>  |                     | PCT/GB2004/000090   |             | PABE 200001                      |            |                        |    |                       |    |
| The following fees have been submitted  |                     |   |             |                                  |            |                        |    |                       |    |
| 21. <input checked="" type="checkbox"/> Basic national fee.....   |                     | \$300   |             | <b>CALCULATIONS</b> PTO USE ONLY |            |                        |    |                       |    |
| 22. <input checked="" type="checkbox"/> Examination fee<br>If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....  |                     | \$100<br>\$200  |             | \$ 300.00                        |            |                        |    |                       |    |
| All other situations.....   |                     |   |             | \$ 200.00                        |            |                        |    |                       |    |
| 23. <input checked="" type="checkbox"/> Search fee<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....  |                     | \$100   |             | \$ 400.00                        |            |                        |    |                       |    |
| International Search Report prepared and provided to the Office.....  |                     | \$400   |             |                                  |            |                        |    |                       |    |
| All other situations.....   |                     | \$500   |             | \$ 900.00                        |            |                        |    |                       |    |
| <b>TOTAL OF 21, 22 and 23 =</b>   |                     |   |             |                                  |            |                        |    |                       |    |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |                     |   |             |                                  |            |                        |    |                       |    |
| Total Sheets  | Extra Sheets        | Number of each additional 50 or fraction thereof (round up to a whole number) |             | RATE                             |            |                        |    |                       |    |
| - 100 =   | /50 =               |   |             | x \$250                          |            |                        |    |                       |    |
| \$ -0-  |                     |   |             |                                  |            |                        |    |                       |    |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).  |                     |   |             |                                  |            |                        |    |                       |    |
| \$ -0-  |                     |   |             |                                  |            |                        |    |                       |    |
| <b>CLAIMS</b>   | <b>NUMBER FILED</b> | <b>NUMBER EXTRA</b>   | <b>RATE</b> |                                  | \$         |                        |    |                       |    |
| Total claims  | 60                  | - 20 =  | 40          | x \$ 50                          | \$ 2000.00 |                        |    |                       |    |
| Independent claims  | 1                   | - 3 =   | 0           | x \$200                          | \$ -0-     |                        |    |                       |    |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |                     |   |             | + \$360                          | \$ 360.00  |                        |    |                       |    |
| <b>TOTAL OF ABOVE CALCULATIONS =</b> \$ 3,260.00  |                     |   |             |                                  |            |                        |    |                       |    |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.   |                     |   |             |                                  |            |                        |    |                       |    |
| <b>SUBTOTAL =</b> \$ 1,630.00   |                     |   |             |                                  |            |                        |    |                       |    |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).   |                     |   |             |                                  |            |                        |    |                       |    |
| + \$ -0-  |                     |   |             |                                  |            |                        |    |                       |    |
| <b>TOTAL NATIONAL FEE =</b> \$ 1,630.00   |                     |   |             |                                  |            |                        |    |                       |    |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |                     |   |             |                                  |            |                        |    |                       |    |
| + \$  |                     |   |             |                                  |            |                        |    |                       |    |
| <b>TOTAL FEES ENCLOSED =</b> \$ 1,630.00  |                     |   |             |                                  |            |                        |    |                       |    |
| <table border="1"> <tr> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td>Amount to be charged:</td> <td>\$</td> </tr> </table>  |                     |   |             |                                  |            | Amount to be refunded: | \$ | Amount to be charged: | \$ |
| Amount to be refunded:  | \$                  |   |             |                                  |            |                        |    |                       |    |
| Amount to be charged:   | \$                  |   |             |                                  |            |                        |    |                       |    |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.  |                     |   |             |                                  |            |                        |    |                       |    |
| b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.<br>A duplicate copy of this sheet is enclosed.  |                     |   |             |                                  |            |                        |    |                       |    |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0308</u> . A duplicate copy of this sheet is enclosed.                               |                     |   |             |                                  |            |                        |    |                       |    |
| d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.       |                     |   |             |                                  |            |                        |    |                       |    |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  |                     |   |             |                                  |            |                        |    |                       |    |
| SEND ALL CORRESPONDENCE TO:   |                     |   |             |                                  |            |                        |    |                       |    |
| <p>Robert V. Vickers<br/> Fay, Sharpe, Fagan, Minnich &amp; McKee, LLP<br/> 1100 Superior Ave., Seventh Floor<br/> Cleveland, Ohio 44114-2579</p>   |                     |   |             |                                  |            |                        |    |                       |    |
| <br><b>SIGNATURE</b><br>Eric Highman<br>NAME<br>43,672<br>REGISTRATION NUMBER   |                     |   |             |                                  |            |                        |    |                       |    |

SCIENTIA MEDICOLOGICA

Robert V. Vickers

Fay, Sharpe, Fagan, Minnich & McKee, LLP  
1100 Superior Ave., Seventh Floor  
Cleveland, Ohio 44114-2579

**SIGNATURE**

Eric Highman

NAME

43 672

**REGISTRATION NUMBER**

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## SMALL ENTITY NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application entitled

## HELMET MOUNTED ELECTROLUMINESCENT INDICATOR

By: Paul David Sherring

## 1. Type of Application

National Stage Entry Under 35 U.S.C. § 371(f)

## 2. Required Papers Enclosed under 37 CFR 1.53(b) (Regular):

18 Pages of specification

3 Pages of claims

1 Page of Abstract

7 Sheets of Formal/Informal Drawings (Figures 11, 2A, 2B, 3-5, 6A, 6B, 7, 8A, 8B, 9, 10)

## 3. Declaration or oath

Enclosed

## 4. Preliminary Amendment

Enclosed

## 5. Assignment

An assignment of the invention to \_\_\_\_\_ is enclosed as well as the Assignment Recordation Form Cover Sheet.

Payment for the filing of this Assignment is authorized to be charged to a credit card. The appropriate form PTO-2038 is enclosed for this purpose. If the credit-card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

## 6. Priority

This is a National Stage Entry of PCT Application No. PCT/GB2004/000090 which claims priority to Great Britian Application 0300849.7 filed January 15, 2003.

OR

Under § 120 or § 365(c) to (check appropriate box and supply the requisite information):

Continuation     Divisional     Continuation-in-part  
of prior application no.    Examiner:    Art Unit:

and please amend the first paragraph of the specification as follows: "This application claims the priority benefit of U.S. application Serial No. \_\_\_\_\_, filed \_\_\_\_\_, the disclosure of which is incorporated herein by reference."

## 7. Information Disclosure Statement

Enclosed     Form 1449 PTO     References

8.  Applicant claims small entity status (see 37 CFR 1.27).

10/542460

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9.  Nonpublication Request Under 35 USC 122(b)(2)(B)(i) (Applicant(s) must attach form PTO/5B/35 or its equivalent.)

10. Fee Calculation (37 CFR 1.16)

| CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY ABOVE-INDICATED AMENDMENT(S)   |                            |                  |          |                  |
|---|----------------------------|------------------|----------|------------------|
| (1) FOR   | (2) NUMBER FILED           | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
| TOTAL CLAIMS<br>(37 CFR 1.16(c))  | 60- 20 =                   | 40               | x \$25   | = \$1,000.00     |
| INDEPENDENT CLAIMS<br>(37 CFR 1.16(b))  | 1- 3 =                     | 0                | x \$100  | = \$0.00         |
| MULTIPLE DEPENDENT CLAIMS<br>(IF APPLICABLE)<br>(37 CFR 1.16(d))  |                            | ANY -- 5         | x \$180  | = 180.00         |
| UTILITY APPLICATION SIZE FEE<br>(FOR APPLICATION THAT EXCEEDS 100 SHEETS, FEE FOR EACH GROUP OF 50 ADDITIONAL SHEETS) | 0 GROUP(S)                 |                  | x \$125  | = \$0.00         |
|   | BASIC FEE (37 CFR 1.16(a)) |                  |          | \$150.00         |
|   | UTILITY SEARCH FEE         |                  |          | \$200.00         |
|   | UTILITY EXAMINATION FEE    |                  |          | \$100.00         |
|   | TOTAL SMALL ENTITY FEE =   |                  |          | \$1,630.00       |

11. Method of Payment

The fees indicated above are authorized to be charged to a credit card. The appropriate form PTO-2308 is enclosed for this purpose. If the credit card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

12. Examination Fee

Applicant(s) have not paid the examination fee at this time.

13. Please address correspondence and direct telephone calls to:

Robert V. Vickers, Esq.  
Fay, Sharpe, Fagan, Minnich & McKee, LLP  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2579  
Telephone: 216-861-5582  
Facsimile: 216-241-1666  
Email: rvickers@faysharpe.com

Respectfully submitted,  
FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

7/14/05  
Date

  
Robert V. Vickers, Reg. No. 19,504

Eric Highman, Reg. No. 43,672

1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2579  
216-861-5582

10/542460

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CERTIFICATE OF EXPRESS MAILING

I certify that this Small Entity New Application Transmittal and accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

|  |   |
|--|---|
| Express Mail Label No.:<br>EV 702956053 US | Signature<br> |
| Date<br>July 14, 2005                      | Printed Name<br>Kristi A. Murphy  |